

82-154-Z

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March 23, 1983

John S. Chappell, Ph.D., Chairperson
NH Board of Examiners of Psychologists
c/o Daniel Williams, Ph.D.
Psychology Department
Conant Hall
University of New Hampshire
Durham, NH 03824

Dear Mr. Chappell:

You have requested our opinion whether it is a violation of RSA 330-A for an organization which consists of two certified psychologists and a social worker to do business under the name "Psychological Associates".

RSA 330-A:21 (Supp. 1981) provides that it is unlawful for "any person not a certified psychologist [to] represent himself as a psychologist as defined in this chapter." "Representing oneself as a psychologist" is defined in RSA 330-A:1 as follows:

A person represents himself to be a 'psychologist' when he holds himself out to the public by any title or description of services incorporating the word 'psychological' 'psychologist' or 'psychology' and under such title or description offers to render or renders services to individuals, corporations or the public for remuneration.

(emphasis added).

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In the question you posed, the social worker is clearly holding himself out to the public under the name "Psychological Associates." Assuming the person is involved in the "rendering [of] services ... for remuneration", operation under this name constitutes a violation of RSA 330-A:21 despite the fact that the business is conducted in conjunction with two certified psychologists. Pursuant to RSA 330-A:21, violation of this provision is a misdemeanor.

If you have any further questions on this matter, feel free to contact me at your convenience.

Very truly yours,



Peter T. Foley
Attorney
Division of Legal Counsel

PTF/gla

82-154-I